

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FRANCO RIBEIRO and DEANNA RIBEIRO, )  
as individuals and as next friends and )  
biological parents of LUCAS RIBEIRO, an )  
infant, )

Case No. 8:12CV204

Plaintiffs, )

vs. )

BABY TREND, INC., et al. )

Defendants. )

**ORDER**

On April 17, 2017, a second pretrial conference was held on this matter prior to jury selection, which is set for April 24, 2017. The Plaintiffs were represented by Michael Coyle and Jordan Adam. IMMI was represented by Ronald Krause and Matthew King, appearing in person, and by Randall Riggs, appearing telephonically. Jessica Uhlenkamp and Jason Bring appeared on behalf of the Lerado Defendants.

During the course of the hearing, Plaintiffs advised the Court that Plaintiffs and the Lerado Defendants have been engaged in settlement discussions. The parties reported that counsel for the Lerado Defendants had received no response from their client to Plaintiffs' most recent settlement demand.

It was reported that recommendations of counsel must go through several layers of individuals located in the United States and China. This, coupled with language barriers, and significant time differences, have impacted counsel's ability to communicate effectively with the Lerado Defendants' insurance carrier and receive timely responses to recommendations by the Lerado Defendants' counsel. While all parties are entitled to have this matter adjudicated by jury trial, settlement communications need to be responded to on a timely basis prior to jury selection on April 24, 2017.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that representatives of the Lerado Defendants, as well as a representative of China Life, communicate directly with counsel for the Lerado Defendants **on or before 12:00 p.m.,**

**Noon, (CST), on Thursday, April 20, 2017**, with its response to recommendations from Lerado's legal counsel regarding its settlement recommendations or, whether the Lerado Defendants, in consultation with their liability insurance carrier, China Life, wish to proceed to trial.

Counsel for the Lerado Defendants shall file on the docket notice of compliance with this Order upon completion, **but no later than 2:00 p.m. (CST) on April 20, 2017**.

**IT IS SO ORDERED.**

**DATED this 18<sup>th</sup> day of April, 2017.**

**BY THE COURT:**

**s/ F.A. Gossett, III  
United States Magistrate Judge**